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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/074,288 05/07/98 POKORZYNSKI

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EXAMINER

JOHNSON, J

ART UNIT

PAPER NUMBER

1721

DATE MAILED:

01/06/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/074,288

Applicant(s)

Polkorzynski et al.

Examiner

J. Johnson

Group Art Unit

1721

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 10/25/99
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1 - 33 is/are pending in the application.
- Of the above claim(s) 11 - 33 is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1 - 10 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) _____.
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) _____
- ☒ Notice of References Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

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Applicant's election with traverse of Group I, claims 1-10 in Paper No. 3 is acknowledged. The traversal is on the ground(s) that the subject matter set forth in Groups I and II are directed to a single inventive concept, which should be considered as one invention. This is not found persuasive because, as stated in the restriction requirement, the product as claimed can be made by a materially different process such as a multi-step process wherein the structural substrate is adhesively attached to a foam material having an outer trim layer. Claims 11-33 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention, the requirement having been traversed in Paper No. 3.

The requirement is still deemed proper and is therefore made FINAL.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-10 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Takeuchi et al.

Takeuchi et al, U.S. Patent 5,180,617, teach a vehicle interior finishing panel so constructed that a foam base material into which a mat-shaped fiber reinforcing materials is inserted is integrally molded on the back side of a facing material (column 2, lines 12-22). In one embodiment, the facing material is set in the lower mold element with its front side down. Next, the impregnated sheet material is set on the back side portion of the facing material. Then fiber

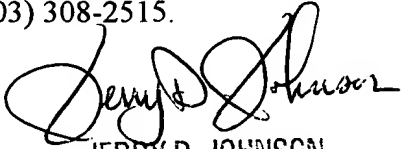
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reinforcing material is set on the facing material and the impregnated sheet material. Thereafter the molding material such as hard urethane foam is fed on the fiber reinforcing material and the upper mold element closed, and the mold is heated to foam the molding material to mold it into a given shape. (Column 5, lines 4-22). The fiber reinforcing material is made of glass fiber or the like (column 2, lines 25-31). The porous sheet material is composed of fiber glass, synthetic fiber or other porous foam materials and has permeability (column 3, lines 41-43). In another embodiment, the facing material is set in the lower mold element with its front side down. Next, the fiber reinforcing material is set on the facing material. Thereafter, the molding material such as hard urethane foam is fed onto the fiber reinforcing material, then the upper mold element is closed, and the mold is heated to foam the molding material. (Column 6, lines 1-11).

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Pages 16 and 20-21 of *Vinyl Urethane Foam Composites by the RIM Process* where not included with Applicants' information disclosure statement. The PTO-1449 form has been amended to show that those pages have not been considered by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerry D. Johnson whose telephone number is (703) 308-2515.


JERRY D. JOHNSON
PRIMARY EXAMINER
GROUP 1100

JDJ
December 30, 1999